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SEP 19 2014	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

REGINALD MCDONALD,

Plaintiff,

vs.

OLIVAS, *et al.*,

Defendants.

3:13-cv-00240-MMD-WGC

MINUTES OF THE COURT

September 19, 2014

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's "Motion to Request Provisions." (Doc. #95). Defendants have opposed Plaintiff's motion (Doc. #102) and Plaintiff has replied (Doc. #105).

Plaintiff's motion is labeled one wherein Plaintiff seemingly requests "provisions." However, the relief Plaintiff is actually seeking is that this court direct the Nevada Department of Corrections (NDOC) to allow Plaintiff to review his medical records basically at his leisure in the library at the Northern Nevada Corrections Center (NNCC).

An initial problem is that the NDOC is not a party in this case and the court cannot direct a non-party to undertake certain activities. Plaintiff's motion seeks this court to order "NNCC personnel" to supervise his review of the medical records in the library. Again, unnamed "NNCC personnel" are not defendants in this action over whom this court could order such relief.

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The court has previously indicated that relevant medical records pertaining to Plaintiff's claims in this action (i.e., those from September 15, 2011 to date) be bated stamped so Plaintiff is not burdened with having to review his complete and apparently extensive medical file. The court also allotted Plaintiff an additional three hours to review his records but stated Plaintiff would have to kite the Warden's office or "medical" and review his records there. The court denied Plaintiff's request to review the records in the law library. (Doc. #94). In fact, Plaintiff's Reply Memorandum notes this court cannot order NNCC to accommodate Plaintiff with request (Doc. #105 at 2).

The court is aware of Plaintiff's contention that he may require additional time to review the medical records. (*Id.*) However, that is not the relief Plaintiff is seeking in his motion for "provisions". If Plaintiff requires additional time to review his records, he should first request leave from NNCC to do so. If a request for a reasonable extension of time is denied by NNCC, Plaintiff shall file a motion with this court. If Plaintiff pursues that avenue, he should address the assertions of Correctional Nurse Brockway that Plaintiff declined an earlier opportunity to inspect his records. (Doc. #102-1 at 2).

Plaintiff's Motion to Request Provisions (Doc. #95) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____ /s/ _____
Deputy Clerk